

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK
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GULINO, ET AL.,

USDC SDNY
DOCUMENT
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DATE FILED: October 8, 2020

Plaintiffs,

-against-

96-CV-8414 (KMW)

THE BOARD OF EDUCATION OF THE
CITY SCHOOL DISTRICT OF THE CITY
OF NEW YORK,

ORDER

Defendant.

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KIMBA M. WOOD, United States District Judge:

On May 20, 2014, this case was referred to Special Master John Siffert pursuant to Federal Rule of Civil Procedure 53(a)(1)(B) and this Court's inherent equitable powers and authority. (ECF Nos. 435, 524.) On September 24, 2020, Special Master Siffert filed a Report and Recommendation ("R&R"), recommending that this Court adopt the Findings of Fact and Conclusions of Law for the third cohort of individuals whose damages consist of LAST fees only ("Third Cohort of LAST Fees Only Class Members"); enter the Proposed Judgments submitted with the R&R as Exhibit 2; and certify those Proposed Judgments as final and appealable pursuant to Federal Rule of Civil Procedure 54(b). (ECF No. 6670.)

The parties agree that objections that have been preserved in the record do not need to be resubmitted to the Court in connection with this R&R. The parties further agree that the Court may adopt or reject the R&R on the basis of the arguments and objections to rulings contained in the record.

As set forth in the Second Amended Order of Appointment and consistent with Federal Rule of Civil Procedure 53(f), the Court reviews *de novo* all objections to conclusions of law and findings of fact made or recommended by the Special Master. (ECF No. 524.) Upon *de novo*

review of the R&R, as well as the Findings of Fact and Conclusions of Law—and after reviewing the previous Interim R&Rs that this Court has already adopted—the Court adopts the Special Master’s R&R in its entirety.

Accordingly, the Court will enter the Proposed Judgments for the Third Cohort of LAST Fees Only Class Members. For the reasons set forth in the R&R, the Court holds there is no just reason for delay and certifies the judgments as final and appealable pursuant to Federal Rule of Civil Procedure 54(b).

Dated: New York, New York
October 8, 2020

/s/ Kimba M. Wood
KIMBA M. WOOD
United States District Judge